

In re Application of: ONODA, Kenji
Serial No.: 10/727,079
Response to 07/20/2005 Final Office Action
Atty. Docket No.:MIZ71

REMARKS

By the *Final Office Action* of July 20, 2005, Claims 1 - 3 are pending in the Application and Claims 4 - 7 are withdrawn, with Claims 1 - 3 being rejected. By the present *Response and Amendment with RCE*, Applicants cancel Claims 1 - 7 and adds Claims 8 - 17.

Applicants file the present *Response and Amendment with RCE* in an effort to move the case to issuance. No new matter is believed introduced by the present *Response and Amendment with RCE*. It is respectfully submitted that the present Application is in condition for allowance for the following reasons.

New Claims 8 - 17 are direct copies of Claims 20 – 28 and 37 currently pending in U.S. Patent Application No. 11/144, 270 to De Shiell et al. As discussed in the interview with Examiner Hunter on October 14, 2005, Application No. 11/144,270 claims priority to U.S. Patent Application No. 10/634,023 to De Shiell, which issued as U.S. Patent No. 6,969,326 (“326 Patent”). The ‘326 Patent contains claims similar to Applicants’ pending Claims 8 – 17. As discussed with the Examiner, the file wrapper of the ‘326 Patent illustrates that pending Claims 8 - 17 are allowable. Applicants request that the USPTO be consistent and find Applicants’ Claims 8 – 17 allowable. This topic was discussed with Examiner Hunter during the interview with Applicants’ attorney on October 14, 2005.

Applicants note that the PTO/SB/01 *Declaration* Form filed along with Applicants’ *Response* of December 8, 2004, contains an inadvertent typographical error in the citation of the Application Number for the priority document. The *Declaration* cites Application No. “2002-349943” instead of the correct Japanese Patent Application No. “2002-349443”. Applicants submit that the claim made in the first paragraph of the originally filed *Specification*, claiming priority to Japanese Patent Application No. 2002-349443, is true and correct.

In re Application of: ONODA, Kenji
Serial No.: 10/727,079
Response to 07/20/2005 Final Office Action
Atty. Docket No.:MIZ71

Other than the RCE fee and two month extension of time, no other fees are believed due; however, the Commissioner is hereby authorized to charge any other fees that may be required, or credit any overpayment, to Deposit Account No. 20-1507. If the Examiner believes there are other issues that can be resolved by a telephone interview, or there are any informalities that remain in the application which may be corrected by an Examiner's amendment, a telephone call to the undersigned attorney at (404) 885-3622 is respectfully solicited.

Respectfully submitted,



Gerald R. Boss
Reg. No. 36,460
Attorney for Applicants

TROUTMAN SANDERS LLP
Bank of America Plaza
600 Peachtree Street, N.E., Suite 5200
Atlanta, Georgia 30308-2216
United States of America
Telephone: (404) 885-3696
Facsimile: (404) 962-6828